IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 11TH DECEMBER 2007 / 20TH AGRAHAYANA 1929

Bail Appl..No. 7610 of 2007()

CMP.4786/2007 of J.M.F.C.-IV,KOZHIKODE
Cr.44/07 OF KOZHIKODE EXCISE RANGE

.....

: PETITIONER/IST ACCUSED

NOUSHAD, S/O.USMAN, AGED 30 YEARS,
C.M.HOUSE, KUNHIPALLY, AZHIYOOR AMSOM,
VADAKARA TALUK.

BY ADV. SRI.R.BINDU (SASTHAMANGALAM)

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.7610 of 2007

Dated this the 11th day of December, 2007

ORDER

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. The petitioner was allegedly found to transport 30 X 750 ml of Indian Made Foreign Liquor from Mahi to Kerala without any valid documents. The petitioner was intercepted and arrested on 24.11.07. He continues in custody from that date. The learned Public Prosecutor submits that the petitioner has no history of any criminal antecedents.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigator is given reasonable time to complete the investigation and I am satisfied that the petitioner can now be directed to be released on bail subject to appropriate terms and conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on the strength of this order prior to 19.12.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

ii) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of 2 months from the date of his release and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-